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HONOLULU, H. T., FRIDAY AUGUST 16, 1901.—SEMI-WEEKLY.

WHOLE No. 2807.

JUDGE AND JURY CONFLICT

Gear Tells Grand Jurors to Quit Work.

HABEAS CORPUS CAUSES SPLIT

Circuit Judge Scores Chief Justice and a Question of Veracity Is Raised.

THE flames which had been smoldering for a week in the Circuit Court because of the action of the Attorney General's Department in the habeas corpus cases burst forth in a fiery outbreak yesterday afternoon which involved Chief Justice Frear, Judge Gear, Deputy Attorney General Cathcart and the gentlemen of the Grand Jury. As a result Mr. Cathcart was fined fifty dollars for contempt, which was afterwards remitted by Judge Gear, and the Grand Jury will be discharged Tuesday without considering the cases of the prisoners released by the court upon habeas corpus and afterwards rearrested.

During the morning there were several indications of a coming storm, but it was not until afternoon that the climax came. The Grand Jury was called in several times in the morning, when Judge Gear inquired as to their action in the habeas corpus cases. Deputy Cathcart had been asked by the Grand Jury for advice, to which the court objected, upon the ground that he himself was the proper person to whom to apply for legal advice. Mr. Cathcart had suggested to the jury the advisability of looking into the appeal to the Supreme Court in this connection, and it came to the ears of the court that Mr. Cathcart and Mr. Ables had consulted the Chief Justice together. This, it appeared later was not the case, and Foreman Ables reported that he had seen Chief Justice Frear, who had told him that there might be a ruling upon the question of appeal next Tuesday. This seemed to satisfy the court at the time and the jury was again sent out.

At 2 o'clock, while the court was hearing the Chinese divorce case, Mr. Cathcart appeared in answer to a summons from Judge Gear. The court immediately postponed the divorce proceedings for a day in order to give the Deputy Attorney General a hearing.

"I understand you wanted to see me," said Mr. Cathcart, addressing the court. "It has come to the knowledge of the court that you advised the Grand Jury to see the members of the Supreme Court regarding the appeals in the habeas corpus cases," responded Judge Gear. "Is that the case?"

"I think I had some conversation with them in regard to the matter."

"Do you consider that to be your duty as Attorney General?"

"I think so."

"I think that you were also considering the habeas corpus cases with Chief Justice Frear."

"No, I don't think I was."

"Chief Justice Frear told me that you had been. Do you say you were not?"

"I talked with him a minute, and the habeas corpus cases were mentioned, but we did not discuss them."

"Did you advise with him concerning the case?" questioned the court, angrily.

"I would like to inquire if I am here in any other capacity than that of Attorney General?"

"Yes, as a witness."

"In what case?"

"This case; the habeas corpus matter. Swear the Attorney General."

"The clerk rose to obey the order."

"I decline to be sworn in this matter," said Mr. Cathcart.

"Do you mean that you decline to make these statements under oath?"

"No, sir; I mean I decline to answer these questions. The court has no right to ask them."

"The court finds you guilty of contempt and will impose a fine of fifty dollars. If it is not paid by tomorrow noon the court sentences you to be confined in Oahu prison until it is paid."

The Grand Jurymen were next to receive the court's attention, they having been called into the court room.

"Gentlemen of the Grand Jury," said Judge Gear, "the court has inquired of the Attorney General's department concerning certain facts. I have been informed that the Grand Jury considered the question of appeals in the habeas corpus cases, and, in accordance with such deliberations, admitted the Attorney General to take part in such proceedings. That, acting upon the advice of this attorney, Mr. Cathcart, you proceeded to the Supreme Court and consulted the Chief Justice in regard to the matter. This Grand Jury has been called, as I have often reiterated, in regard to the consideration of the habeas corpus cases. The law gave the Circuit Court

THE POSTMAN IS COMING.



WHEN THE POSTMAN COMES ON STEAMER DAY

IN THE SUBURBS.

NO SNAP ON HOT DAYS.

R. YARDLEY

A LIVE WIRE CAUSED A FIRE

A Chinaman's Rice Straw Stacks Were Burned at Waikiki.

A live wire of the Hawaiian Electric Light Company was the cause of a fire last night shortly after 11 o'clock on Waikiki road, opposite Mr. Legros' premises. The defective wire burned into the pole upon which it was strung and communicated with the buildings occupied by Chinese. A telephone message was sent to central, and a request was at once made of the electric light company to shut off its power in order to prevent a conflagration. The men on duty at the powerhouse refused to do so, and the fire station was then communicated with. Chief Thurston attempted to have the powerhouse shut off the fluid along the Waikiki road line, but this request was also denied. Another telephone message came to town at this time saying that unless the fire department came or the power was shut off serious results would follow. Chief Thurston then sent the Makiki fire wagons to the scene, and several large strawstacks of the Chinese were found to be on fire. As there are no fire hydrants in the vicinity, considerable time was lost in getting water turned on to the blaze. The strawstacks were entirely destroyed, and the attention of the firemen was directed to saving the buildings. The electric current was turned off by the time the firemen reached the scene.

Scientists at Pearl Harbor.

Acting Governor Cooper yesterday entertained with a launch party Dr. Jenkins and Mr. J. N. Cobb, of the Fish Commission party. Hon. Henry Waterhouse, Commissioner Wray Taylor and William Henry completed the official party. Soon after arrival at the Peninsula home of Mr. Cooper, the party was taken out in the launch and conveyed through the locks, going up to the old Campbell homestead and inspecting the waterways. Luncheon was enjoyed in the west loch and the run home was taken in time to partake of a cup of tea before catching the evening train for the city.

THREE VERY TAME BOUTS

The Oahu Athletic Club Was Organized Last Evening.

The members of the Oahu Athletic Club held their organization meeting at the Palama headquarters of the club last night. About 150 were present.

At the commencement of the meeting Charlie Graham was appointed chairman. The election of officers resulted as follows: President, Clarence Crabbe; vice president, George Ashley; secretary, Henry Vierra; treasurer, C. R. Dement; directors, Duke McNichol, Paddy Ryan, Charles Graham, Walter Drake, P. Helm.

Short addresses by the officers followed their election. Clarence Crabbe said that the officers would endeavor to perform the wishes of the members who must pull together if the thing was to be made a success. He stated that the object of the new club was to promote clean outdoor and indoor sport, and that he anticipated a bright future for the organization.

Mr. Graham made a formal request to Deputy Sheriff Chillingworth that a series of boxing bouts be permitted to be gone through with and consent being given an informal entertainment at once proceeded.

The first boys to spar were Joe Decker of Honolulu and Doyle, a recent importation from San Francisco. They went three rounds. Decker, it will be remembered, made a favorable impression when he boxed with Kreuter before the old Oceanic Club.

Doyle had a great advantage in reach and height but his wind was poor and he was no match for his opponent, who possesses the makings of a good boxer. Mahomet Khan, an Indian juggler from Hyderabad, next amused the audience with some feats in sleight-of-hand. He displayed wonderful skill, and succeeded in mystifying the spectators in each of his four selections. At the conclusion of his turn he reaped a considerable harvest of dollars and half-dollars which were thrown into the ring. Mahomet Khan, by the way, has a world-wide reputation as a conjuror. He has performed all over the globe and in 1895 created quite a sensation at the Indian exhibition in London.

tion at the Indian exhibition in London with his basket trick.

Sid Boyd of Honolulu and Tom Mitchell, the Australian welterweight, next donned the mitts for a three-round exhibition. Mitchell, who is in reality a very clever boxer, only fooled with his opponent, whose wind had gone before time was called in the concluding round. Boyd kept very busy all the time and tired himself out. Mitchell, on the other hand, contented himself with merely evading the blows of his antagonist. He is a colored man with a tremendous reach, and at times showed faint signs of his undoubted ability as a boxer.

Sandwiched with the above bout was a three-round go between Messrs Riley and McGready. The former outclassed his opponent but knows little or nothing about the game himself.

At the conclusion of the entertainment Charlie Graham announced that the program had been gotten up at the last moment, and promised a good show for the next monthly entertainment given by the club.

Taken all in all the affair was a success and it certainly looks as if the Oahu Athletic Club would enjoy a longer lease of life than has been the case with similar organizations started here.

LABOR DAY PLANS

Carpenters Decide Upon a Uniform \$350 Already Subscribed

The Carpenters' Union, at a meeting held last night, selected as their uniform for the Labor Day parade, khaki pants, white shirts and straw hats.

The two members of the finance committee who are soliciting funds for the celebration, are M. Puresell, of the boiler-makers, and J. Dawson, of the carpenters' union.

They reported fine success yesterday, the following subscriptions being obtained, as a result of their efforts: W. C. Peacock & Co., Ltd., \$50; C. Brewer & Co., \$100; Honolulu Brewing and Malting Company, \$50; F. A. Schaefer & Co., \$50; W. W. Dimond & Co., Ltd., \$25; M. S. Grinbaum & Co., \$50; Hyman Bros., \$25.

Right You Are.

If inspection of food is to be beneficial to the people we think the Board of Health should fearlessly publish the names of those who sell adulterated food and the brands of goods unfit for use. If the Board does so the public will know where to make their purchases and what to buy and a great advantage will be gained.—Independent.

WILL FISH FOR GOOD SPONGES

New Industry May Be Developed Soon.

EXPERTS EXPECT TO LOCATE THEM

Reports Lead to Belief Valuable Fisheries Will Be Found on the Outer Bars.

BELIEVING that there are sponges of a merchantable quality in the waters about these islands, the last week of the stay of the party representing the United States Fish Commission will be devoted in part to an investigation of report concerning their presence. Should there be found sponges which will be fit for market, these will add materially to the wealth of the islands, more in fact than any other product of the fisheries.

There is one State of the Union which now produces all the sponges which are brought to the market locally. Along the coast of Florida the industry has been pushed to its limit, until the annual sales of sponges amounts to \$600,000. The product sells for as high as \$2.50 a pound, which makes the business most profitable. There are sixty schooners in the trade and the business is the staple of many of the towns along the coast of the State. The fishermen have brought the business to a high state of perfection and they are able to make large catches in season.

The sponge fishing is done in deep water, the best specimens of the large bath sponges being obtained from fifty feet below the surface. They are located with a water glass and then picked with a long pole carrying on its end a blade like a letter A, which cuts the sponge loose with a twist, and it is then brought to the surface, if there is luck, and if not it gets away it is lost forever. The men become very expert in the business and they will carry it on during high winds, losing very few of the sponges.

There are many varieties of the sponge, those which are generally found about the inclosed waters being of a sort which are not of value. It is the opinion of Mr. Cobb, who is one of the experts of the Fish Commission on this matter, that good sponges will be found on the reefs outside and that in time, and a short time, for the organization of this industry will not be an elaborate transaction, there will be one of the most profitable of sea-product industries inaugurated.

Reports have come to the members of the party that high-grade sponges have been found at Punaluu and other points on the Kauai coast. Some small specimens have been seen which are of the finest grade of the satin sponge, and the belief is expressed that there will be found a great supply of the valuable growths. Should beds be found these will be further cultivated and the building of the industry will go on as rapidly as possible.

The Fish Commission steamer Albatross will arrive here, according to the present plans, about the 1st of December. The ship will be used to make the deep sea soundings and dredgings, and will spend the entire winter here. It is expected that there will be in the cargo of the Albatross a large shipment of black bass fry. This fish is always planted in the fall, and there is good reason to believe that the necessary arrangements will be made for a shipment as soon as Mr. Cobb returns to Washington. This fish will be recommended by Mr. Cobb to replace the trout which were placed in the rivers several years ago. The trout were not a success, as there is not sufficient cold water for them to thrive. The bass will live in any stream, being indigenous to almost all the American streams.

The plan will be to place this fish in the Waimea river on Kauai, and the rivers on Hawaii, where it will be given a chance to develop. There will be no attempt made to bring any great number of high-grade fish here, for fresh and salt water, for the reason that the rivers are not long enough. Thus the salmon or the cod would not find sufficiently clear water and distance from the sea for spawning. The outlook is that mullet will be taken from here for planting in waters of the Mainland, rather than any fish brought here. The mullet here is said to be of high grade, more perfect in flavor and size than the Florida mullet.

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